

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No 98-342

September 9, 1998

WESTERN UNION COMMUNICATIONS, INC.  
Request to Abandon Service

ORDER GRANTING  
REQUEST TO ABANDON  
SERVICE

WELCH, Chairman; NUGENT, Commissioner

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In this Order, we grant Western Union Communications, Inc. (Western Union) May 4, 1998 request to abandon service pursuant to 35-A M.R.S.A. § 1104(1) subject to certain conditions.

Western Union has had virtually no telecommunications activity in Maine over the past several years, and ordinarily we would allow them to abandon service without condition. However, several years ago, Western Union offered a series of prepaid calling cards titled "Historical Telegram Series." These cards were designed as collector's items, and had a rate that reflected that intent. Further, the cards carried only 8 minutes worth of intrastate call capacity. Western Union offered the cards under a tariff that set an expiration date of one year after first use. As these were collectible cards, many of them have yet to be activated.

Western Union has not sold a prepaid calling card for over a year, and as the cards were designed as collector's items there seems little chance that many, if any, Maine consumers still hold these cards with the intent of using them. However, these unused cards cloud the issue of Western Union's withdrawal from the marketplace. As such, we have attached conditions to Western Union's abandonment of service in Maine. Further, we have approved a revision to Western Union's tariff in Docket No. 98-340 that will allow the cards to expire.

The request of Western Union to abandon service is granted, on the condition that Western Union extend refunds to holders of unused "Historical Telegram Series" calling cards for a period of one year. Further, Western Union must purchase advertisements in at least three daily papers to indicate to consumers that refunds are available. Western Union has worked with the Consumer Assistance Division to develop these advertisements and will place them within 45 days of the issuance of this Order.

Accordingly, we

O R D E R

That the request of Western Union to abandon service is granted subject to conditions discussed in this Order.

Dated at Augusta, Maine this 9th day of September 1998.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Nugent

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of adjudicatory proceedings are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 6(N) of the Commission's Rules of Practice and Procedure (65-407 C.M.R.11) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which consideration is sought.

2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.

3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note:The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.